

C O N F I D E N T I A L

ARKANSAS-OKLAHOMA ARKANSAS RIVER
COMPACT COMMITTEE

MINUTES OF FOURTH MEETING

The meeting was called to order at 9:05 a.m., December 13, 1956 in Room 442, U. S. Corps of Engineers Conference Room, Chamber of Commerce Building, 616 South Boston Avenue, Tulsa, Oklahoma. The following attended:

Members

Trigg Twichell, Federal Representative and Chairman
Ira C. Husky, Representative of Oklahoma
N. R. Graham, Representative of Oklahoma
Leonard N. White, Representative of Arkansas
J. J. Highfill, Representative of Arkansas

Others

J. P. McGetrick, Springdale, Arkansas, Water Dept.
H. C. Beckman, Federal Representative and Chairman,
Red River Compact Commission
S. K. Jackson, U. S. Geological Survey
D. L. Milliken, Secretary

MINUTES OF SECOND MEETING

Three copies of corrected minutes of the second meeting were signed by the Chairman and representative of each State and one copy was retained by each.

MINUTES OF THIRD MEETING

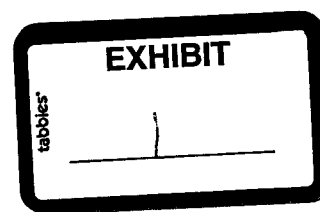
The minutes of the third meeting were approved without change.

ENGINEERING CONSULTANT FOR FEDERAL MEMBER

The Chairman announced that arrangements for the employment of Mr. R. L. Lowry as engineering consultant for the Federal member were nearly complete and that Mr. Lowry probably would be available for service before the next meeting. He stated that he planned to have Mr. Lowry assist and advise on formulating a work plan for the Committee, but that he preferred that the States do most of the work of implementing the work plan.

AD HOC ENGINEERING COMMITTEE

The Ad Hoc Engineering Committee reported that it had made considerable progress on its assignments, but had not yet completed them. Chairman White exhibited that part of the Committee's report which has been completed. There was considerable discussion and comment on the material. The Ad Hoc Committee stated that it will complete the report for final presentation at the next meeting.



LEGAL ADVISORY COMMITTEE

The Legal Advisory Committee made no report. Its assignment is yet to be completed.

OTHER COMPACTS

The Chairman stated that attempts to locate additional copies of "Interstate Compacts - A Compilation of Articles from Various Sources, 1946", by request to Ivan C. Crawford had been unsuccessful. The Federal member has a copy available to him on a loan basis, and both States have a copy in their files.

Mr. Husky exhibited a copy of Technical Paper Number 5, Interstate Water Compacts, 1785 to 1941, Transcripts and Analytical Tables, prepared in June 1942 by the National Resources Planning Board. He pointed out in particular a large analytical table comparing various elements of many compacts. It was agreed that it would probably be fruitless to attempt to obtain additional copies. However, Mr. Husky agreed to reproduce copies of the table for the other members.

The Chairman and others reported on terms of other compacts and problems which have arisen in connection with them. This information has been obtained by miscellaneous personal contacts and correspondence.

The Chairman gave each member State a copy of the tentative draft of the Columbia Interstate Compact, dated August 6, 1956.

MAILING LIST

The following list of names and addresses has been compiled by the Chairman and copies furnished to all members:

FEDERAL REPRESENTATIVE AND CHAIRMAN

Trigg Twichell
U. S. Geological Survey
302 West 15th Street,
Austin 14, Texas

ARKANSAS

Leonard N. White, Chairman
Arkansas River Compact Commission
446 State Capitol
Little Rock, Arkansas

Bruce Bennett, Attorney General
State of Arkansas
State Capitol
Little Rock, Arkansas

Russell Elrod, Atty. at Law
115 North Broadway
Siloam Springs, Arkansas

J. J. Highfill
Springdale,
Arkansas

John L. Faulkner
Mena, Arkansas

Donald Poe
Waldron, Arkansas

KANSAS

Robert L. Smith, Executive Sec'y.
Water Resources Board
644 New England Building
Topeka, Kansas

Dwight Metzler, Chief Engineer
Division of Sanitation
Kansas State Board of Health
Marvin Hall, University of Kansas
Lawrence, Kansas

Warden L. Noe, Attorney
State Board of Agriculture
State House
Topeka, Kansas

R. V. Smrha, Chief Engineer
Division of Water Resources
Kansas State Board of Agriculture
Central Building
Topeka, Kansas

OKLAHOMA

Ira C. Husky
Oklahoma Planning & Resources Board
533 State Capitol
Oklahoma City 5, Oklahoma

Richard M. Huff
Office of the Attorney General
112 State Capitol
Oklahoma City 5, Oklahoma

N. R. Graham
403 Nat'l. Bank of Commerce Bldg.
Tulsa,
Oklahoma

Calvin T. Grant
State Board of Health
3400 North Eastern
Oklahoma City, Oklahoma

FEDERAL AGENCIES

Department of the Army
Brigadier General Lyle E. Seeman
Division Engr., Southwestern Div.
Corps of Engineers
1114 Commerce Street
Dallas, Texas.

Department of Commerce
Richard J. MacConnell
South Central Hydrologic Engr.
Weather Bureau
507 U. S. Court House
Fort Worth 2, Texas

Health, Education, and Welfare
E. C. Warkentin
Regional Engineer
1114 Commerce Street
Dallas 2, Texas

Department of Justice
J. Lee Rankin
Asst. Attorney General
Office of Legal Counsel
Washington 25, D. C.,
Attention: Walter Kiechel, Jr.

Department of Agriculture
John A. Short
Administrative Officer
AWR Basins Office
15th & Quebec Streets
Tulsa 12, Oklahoma

Federal Power Commission
Edgar S. Coffman
Regional Engineer
300 West Vickery Blvd.
Suite 2127
Fort Worth 4, Texas.

Department of Labor
Ed McDonald, Regional Director
Office of Manpower Administration
Room 220, 1114 Commerce Street
Dallas 2, Texas

Department of the Interior
Kenneth D. McCall, Secretary
Southwest Field Committee
AWR Office, P. O. Box 1467
Muskogee, Oklahoma

Department of the Interior, continued

P. Eldon Dennis, District Geologist
U. S. Geological Survey
Ground Water Branch
208 Porbeck Building
Little Rock, Arkansas

J. L. Saunders, District Engineer
U. S. Geological Survey
Surface Water Branch
P. O. Box 149
Fort Smith, Arkansas

M. L. Thompson, Engr. in Charge
U. S. Geological Survey
Quality of Water Branch
P. O. Box 429
Norton, Kansas

Alvin R. Leonard, District Geologist
U. S. Geological Survey
Ground Water Branch
c/o Oklahoma Geological Survey
Norman, Oklahoma

S. K. Jackson, District Engineer
U. S. Geological Survey
Surface Water Branch
P. O. Box 1343
Oklahoma City 1, Oklahoma.

J. W. Guerin, District Chemist
U. S. Geological Survey
Quality of Water Branch
P. O. Box 32, University Station
Fayetteville, Arkansas

V. C. Fishel, District Engineer
U. S. Geological Survey
Ground Water Branch
c/o University of Kansas
Lawrence, Kansas

E. R. Leeson, District Engineer
U. S. Geological Survey
Surface Water Branch
305 Federal Building
Topeka, Kansas

T. B. Dover, District Chemist
U. S. Geological Survey
Quality of Water Branch
P. O. Box 4355
Oklahoma City 9, Oklahoma.

INQUIRY FROM NORMAN A. STOLL

The Chairman presented correspondence between Norman A. Stoll, attorney at law, Portland, Oregon, and himself, as follows:

Mr. Stoll's letter of November 27, 1956.
Mr. Twichell's letter of November 30, 1956.
Mr. Stoll's letter of December 5, 1956.

As part of a Resources for the Future, Inc., study, Mr. Stoll requested a considerable amount of information as to the procedures being followed, copies of drafts or reports, relation to the Colorado-Kansas Compact, the origin of the need for the compact, etc. As the feeling that a compact was needed evidently first occurred in Oklahoma, Mr. Stoll's last letter was referred to the Oklahoma representatives for reply. The Committee felt that it would not be able to send Mr. Stoll copies of reports or drafts at this time, as all such material prepared to date is considered confidential and is not available for public release.

SECRETARY

The Chairman announced that Mr. D. L. Milliken, who has been acting as

secretary, was being transferred to California by the Geological Survey about February 1, 1957, and would be unable to serve as secretary after this meeting. He announced that he hoped Mr. Milliken's replacement, I. D. Yost, would be available before the next meeting.

PARTICIPATION OF CORPS OF ENGINEERS AND DEPARTMENT OF INTERIOR

The following motion was made by Arkansas, seconded by Oklahoma, and unanimously approved:

That the U. S. Corps of Engineers and the U. S. Department of Interior be requested to designate representatives to advise and work with the Compact Committee and/or the Engineering Advisory Committee (yet to be appointed) on work now in progress as part of the compact negotiations.

The Chairman agreed to contact by letter his designated liaison officials of the Corps of Engineers and Department of Interior for these assignments. The State representatives stated that they planned to discuss the matter informally with Brig.General Lyle E. Seeman and Mr. Kenneth D. McCall.

COMMENTS BY RED RIVER COMPACT COMMISSION CHAIRMAN

Mr. H. C. Beckman, Federal Representative and Chairman, Red River Compact Commission, made a few comments on the problems and procedures of that group, who are now engaged in negotiations. In general, its problems are similar in nature to those of this committee. Up to the present time, the Red River group has been engaged mostly in collecting basic data. He read the following item from the Nov. 22, 1956, issue of Engineering News Record:

"INTERSTATE POLLUTION ENFORCEMENT

Interstate Commission on the Potomac River Basin will consider recommendations--made by governors of two of its member states--to seek authority to issue pollution enforcement orders. Now, like all other interstate sanitary agencies except the Interstate Sanitation Commission in New York Harbor and the Ohio River Valley Water Sanitation Commission, the Potomac Commission has advisory powers only. Meanwhile, ORSANCO recently resolved to go ahead with its first enforcement action--against the City of Gallipolis, Ohio, which has already beaten down a state enforcement action in the courts."

He pointed out that the item brought to mind a decision which compact committees must reach, that is, should the compact include enforcement powers on pollution provisions or should the commission have only advisory powers.

OUTLINE FOR WRITING COMPACT

There was considerable discussion of the elements to be included in the Compact. Mr. White suggested that an outline of the probable content of the Compact should be prepared at this time. Mr. Husky agreed and the Chairman agreed to put this item on the agenda for the next meeting.